

ALLEGED TAX UNDERPAYMENTS

Committee on Small Business: Subcommittee on General Oversight and the Economy held a hearing to explore the Treasury Department's proposed remedy for alleged tax underpayments by the major Alaska North Slope (ANS) crude oil producers. Testimony was heard from Representative Nelson, and public witnesses.

PRIVATE FOUNDATIONS

Committee on Ways and Means: Subcommittee on Oversight approved for full Committee action recommendations relating to private foundations.

UNEMPLOYMENT COMPENSATION LEGISLATION

Committee on Ways and Means: Subcommittee on Public Assistance and Unemployment approved for full Committee action a modified nine month extension of the Federal Supplemental Compensation program.

FAIR PRACTICES IN AUTOMOTIVE PRODUCTS ACT

Committee on Ways and Means: Subcommittee on Trade held a hearing on H.R. 1234, Fair Practices in Automotive Products Act. Testimony was heard from Representative Ottinger; Ambassador William E. Brock, U.S. Trade Representative; from the following officials of the Department of Commerce: Robert Dederick, Under Secretary for Economic Affairs, and Michael Driggs, Deputy Assistant Secretary for Automotive Industry Affairs, and public witnesses.

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Monday, September 19, 1983

Senate**Chamber Action**

Routine Proceedings, pages 24532-24607

Measures Introduced: Two bills and four resolutions were introduced, as follows: S. 1852-1853, S.J. Res. 64-65, S. Con Res. 67, and S. Res. 223.

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Measures Reported: Reports were made as follows:

S. Res. 187, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 856, providing for an Indian housing program for construction and financing of housing for Indians, and for other purposes. Without recommendation. (S. Rept. No. 98-229)

S. Res. 189, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 500, the "Christopher Columbus

Quincentenary Jubilee Act." Without recommendation. (S. Rept. No. 98-230)

S. Res. 192, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 1001, authorizing appropriations for the Office of Federal Procurement Policy for an additional five fiscal years. Without recommendation. (S. Rept. No. 98-231)

Special report of the allocation of budget authority and outlays for fiscal years 1983 and 1984, Committee on Environment and Public Works. (S. Rept. No. 98-232).

Page 24582

Department of the Interior Appropriations, 1984: Senate resumed consideration H.R. 3363, appropriating funds for fiscal year 1984 for the Department of the Interior and certain related agencies, with certain previously excepted committee amendments thereto, taking action on further amendments proposed thereto, as follows:

Page 24551

Adopted:

(1) Byrd Amendment No. 2141, allowing land surveyors to continue to prepare maps and plans for surface mining operations.

Page 24559

(2) Helms-East Amendment No. 2142, violating certain access permits in Back Bay National Wildlife Refuge, Virginia.

Page 24560

(3) McClure Amendment No. 2145, providing \$2,500,000 in new budget authority to the Bureau of Mines, and reducing by the same amount funds which had been set aside for the purchase of a new facility at Bruceton, Pennsylvania.

2Page 24568

(4) McClure Amendment No. 2146, of a technical nature.

Page 24569

(5) McClure Amendments No. 2147, revising the allocation of funds for construction of the Lake Kincaid recreation area in the Kisatchie National Forest.

Page 24569

(6) Baucus Amendment No. 2149, providing that \$1,000,000 of the funds made available to the State of Montana for State reclamation grants shall be used for reclamation of the Colorado Tailings site in Montana.

Page 24570

(7) Stevens Amendment No. 2150, providing \$500,000 for housing for Public Health Service hospital personnel in Bethel, Alaska.

Page 24571

(8) Stevens Amendment No. 2151, providing that funds available in the Act for the purpose of contracting for services that require the utilization of privately owned aircraft shall be used only to contract for aircraft that are certified as airworthy by the Administrator of the Federal Aviation Administration as standard category aircraft, unless the Secretary of the contracting department determines that such aircraft are not reasonably available to conduct such services.

Page 24571

(9) Danforth-Eagleton Amendment No. 2152, prohibiting the use of funds for the processing or issuance of prospecting permits in an area of the Mark Twain National Forest, Missouri, to be designated as wilderness. **Page 24572**

(10) Stevens Amendment No. 2153, providing funds for the construction of office, operations, and residential facilities to support Fish and Wildlife Service activities in Alaska. **Page 24573**

(11) McClure (for Hatfield) Amendment No. 2154, retaining the operation and maintenance of the Warm Springs National Fish Hatchery within the Fish and Wildlife Service. **Page 24573**

(12) Baker modified Amendment No. 2155, providing funds for maintaining Reelfoot Lake, Obion County, Tennessee. **Page 24575**

(13) Byrd Amendment No. 2156, permitting the Park Service to construct visitor sanitation facilities at New River Gorge National River. **Page 24575**

(14) Cochran-Stennis Amendment No. 2157, providing \$1,000,000 for a feasibility report recommending measures necessary to provide protection from sloughing of bluffs in Natches, Mississippi, to be transferred to the Secretary of the Army for utilization by the U.S. Army Corps of Engineers. **Page 24576**

(15) Simpson-Wallop Amendment No. 2158, providing funds for the Fishery Assistance Station, in Lander, Wyoming. **Page 24578**

(16) Warner Amendment No. 2159, providing funds for a cooperative agreement for the Mary McLeod Bethune National Historic Site. **Page 24578**

(17) McClure (for Exon) Amendment No. 2161, of a technical and clarifying nature. **Page 24579**

Senate will continue consideration of the bill and amendments proposed thereto on Tuesday, September 20.

Nominations Received: Senate received the following nominations:

Nan R. Huhn, to be an Associate Judge of the Superior Court of the District of Columbia.

2 Army nominations in the rank of general.

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Messages from the President:

Page 24581

Messages from the House:

Page 24582

Measures Referred:

Page 24582

Measures Ordered Placed on Calendar:

Page 24582

Communications:

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Statements on Introduced Bills:

Page 24583

Amendments Submitted:

Page 24592

Notices of Hearings:

Page 24593

Committee Authority To Meet:

Page 24593

Additional Statements:

Page 24594

Nominations Received:

Page 24606

Recess: Senate convened at 12 noon, and recessed at 5:28 p.m., until 11 a.m., on Tuesday, September 20, 1983. (For Senate's program, see remarks of Senator Baker in today's Record on page 24606.)

Committee Meetings

HONEST BUDGETING ACT

Committee on Banking, Housing and Urban Affairs: Committee concluded hearings on S. 1679, to require that the receipts and disbursements of the Federal Financing Bank be included in the Federal budget and charged to the program agency, after receiving testimony from Senators Domenici and Gorton; Joseph Wright, Deputy Director, Office of Management and Budget; Rudolph G. Penner, Director, Congressional Budget Office; Harry S. Havens, Assistant Comptroller General, General Accounting Office; Charles Dean, Chairman of the Board, Tennessee Valley Authority; and Guy Lewis, National Rural Electric Cooperative Association, Ron Utt, U.S. Chamber of Commerce, and Elmer Staats, Committee for Economic Development, all of Washington, D.C.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: On Friday, September 16, committee concluded hearings on the nomination of Philip Abrams, of Massachusetts, to be Under Secretary of Housing and Urban Development, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nomination of Barbara E. McConnell, of the District of Columbia, to be a Member of the Civil Aeronautics Board, after the nominee, who was introduced by Senator Deconcini and Representative Rudd, testified and answered questions in her own behalf.

NOMINATION

Committee on Commerce, Science, and Transportation: On Friday, September 16, the committee concluded hearings on the nomination of Matthew V. Scozza, of Tennessee, to be Assistant Secretary of Transportation for Policy and International Affairs, after the nominee testified and answered questions in his own behalf.

INTERNATIONAL COFFEE AGREEMENT

Committee on Finance: Subcommittee on International Trade concluded hearings on S. 1847, authorizing the President to carry out U.S. obligations under the International Coffee Agreement of 1983 (Treaty

Doc. 98-2), after receiving testimony from Michael B. Smith, Deputy U.S. Trade Representative.

FAIR TRADE IN STEEL PIPE AND TUBE PRODUCTS

Committee on Finance: Subcommittee on International Trade concluded hearings on S. 1035, to provide authority to enforce the terms of the Steel Pipe and Tube Agreement between the United States and European communities, after receiving testimony from Senator Tower; Representative Hance; Alan F. Holmer, Deputy Assistant Secretary of Commerce for Import Administration; Joseph A. Spetrini, Acting Director, Agreements Compliance Division, Trade Administration, Department of Commerce; James E. Knox, James W. Chenoweth, and Richard R. Rivers, all on behalf of Lone Star Steel Company, Dallas, Texas; Richard L. Head, Armco Tubular, Houston, Texas; and S. Edward Renner, Jones and Laughlin Steel Corporation, Youngstown, Ohio.

TAX AND PENSIONS PROPOSALS

Committee on Finance: Subcommittee on Savings, Pensions, and Investment Policy and Subcommittee on Taxation and Debt Management concluded joint hearings on the following bills:

S. 1666, to lower to 10 percent the maximum effective capital gains rate of tax imposed upon a sale or exchange of stock that is acquired in an initial stock offering and represents contributions to capital or paid-in surplus, and is held for at least five years, after receiving testimony from Representative Zschau; Roger Wellington, Augat, Inc., Mansfield, Massachusetts, on behalf of the American Electronic Association; Burton McMurtry, National Venture Capital Association, Menlo Park, California; and John C. Rennie, Pacer Systems, Inc., Burlington, Massachusetts, on behalf of the Smaller Business Association of New England;

S. 1550, to allow a U.S. firm to deduct as a cost of doing business the foreign tax on "construction contract services" rendered in the United States and directly related to a construction project located in a foreign country, after receiving testimony from Lawrence N. Fisher, National Constructors Association, and Patrick R. Cook, Associated General Contractors of America, both of Washington, D.C.;

S. 1557, to exempt foreign individuals and corporations from the 30-percent tax on interest income from certain obligations that are sold to foreign persons or whose beneficial owner is a foreign person, after receiving testimony from John C. Evans, Morgan Stanley & Co., Inc., and Nicholas A. Rey, Merrill Lynch White Weld Capital Markets Group, both of New York City; Michael H. Coles, Goldman Sachs, New York City, on behalf of Securities Industry Associates (SIA); and Fenton J. Burke, National Foreign Trade Council, Inc., David E. Frana-

siak, U.S. Chamber of Commerce, and Steven P. Hannes, Touche Ross & Co., all of Washington, D.C.; and

S. 1066, to allow employers and employees jointly to purchase an insured annuity contract at the time of an employee's retirement in order to fund a retirement benefit supplementing the benefits payable to the employee under a tax-qualified defined benefit plan, after receiving testimony from William N. Rutherford, Sun Company, Inc., Radnor, Pennsylvania; E. Romm, Inco Limited, New York City; Edward J. Davey, Association of Private Pension and Welfare Plans, Washington, D.C.; and Keith A. Stevenson, Aetna Life and Casualty Company, Hartford, Connecticut.

Testimony was also received on all the aforementioned bills from John E. Chapoton, Assistant Secretary of the Treasury for Tax Policy.

NOMINATION

Committee on Finance: On Friday, September 16, the committee concluded hearings on the nomination of Katherine D. Ortega, of New Mexico, to be Treasurer of the United States, after the nominee, who was introduced by Senator Domenici and Representative Lujan, testified and answered questions in her own behalf.

FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

Committee on Finance: On Friday, September 16, the committee concluded hearings to review the Federal Supplemental Compensation (FSC) program, after receiving testimony from Senators Byrd, Levin, and Specter; Raymond J. Donovan, Secretary of Labor; West Virginia Governor John D. Rockefeller IV, Charleston; and Bert Seidman and Robert McClotten, both of the American Federation of Labor & Congress of Industrial Organizations, Washington, D.C.

TAX REFUND OFFSET

Committee on Finance: On Friday, September 16, the Subcommittee on Oversight of the Internal Revenue Service concluded hearings on the effectiveness of the tax refund offset program for certain delinquent child support payments, and on S. 150, to establish the collection of student loans in default, after receiving testimony from Senator Percy; Roscoe L. Egger, Jr., Commissioner, Internal Revenue Service; Ronald A. Pearlman, Deputy Assistant Secretary of the Treasury for Tax Policy; Fred Schutzman, Deputy Director, Office of Child Support Enforcement, and Mary Goedde, Deputy Assistant Secretary for Legislation (Human Services), both of the Department of Health and Human Services; Edward Elmendorf, Assistant Secretary of Education for Post Secondary Education; John Simonette, Associate Di-

rector, Accounting and Financial Management Division, General Accounting Office; Dan Copeland, National Council of State Child Support Enforcement Administrators, Anchorage, Alaska; Bonnie L. Becker, Minnesota Office of Child Support Enforcement, St. Paul; John P. Abbott, National Reciprocal Family Support Enforcement Association, and Willis A. Wolff, Iowa College Aid Commission, both of Des Moines, Iowa; and Michael E. Barber, California District Attorney's Family Support Council, Sacramento.

CIVIL RIGHTS COMMISSION

Committee on the Judiciary: On Friday, September 16, the Subcommittee on the Constitution concluded hearings on S. 1189, to authorize funds for, and to extend the life of, the U.S. Commission on Civil Rights, after receiving testimony from Clarence Pendleton, Chairman, U.S. Commission on Civil Rights; Chester Finn, Vanderbilt University, Nashville, Tennessee; Arthur Fleming, American Jewish Congress, New York City; and Arthur Fleming, former Commissioner of the U.S. Commission on Civil Rights.

THE CONSTITUTION

Committee on the Judiciary: On Friday, September 16, the Subcommittee on the Constitution concluded hearings in review of certain aspects of the U.S. Constitution, after receiving testimony from the following high school students: Jenefer Rowley, Layton, Utah, D. Nathan Sheets, Mesa, Arizona, Brigit Grimlund, Iowa City, Iowa, and Margaret Sanchez, Middlebury, Vermont.

LAS VEGAS PAIUTE TRIBE

Select Committee on Indian Affairs: On Friday, September 16, the committee concluded hearings on S. 1694, to declare that the United States hold certain lands in trust for the Las Vegas Paiute Tribe, after receiving testimony from John Fritz, Deputy Assistant Secretary of the Interior for Indian Affairs; Wayne Nordwall, Attorney Advisor, Land & Minerals Branch, Division of Indian Affairs, Solicitor's Office, Department of the Interior; and Billy Frye, Carmen Patrick, Vincent Anderson, Gloria Shearer, and Vincent Lachelli, all on behalf of the Las Vegas Paiute Tribe, Las Vegas, Nevada.

House of Representatives

Chamber Action

Bills Introduced: 13 public bills, H.R. 3913-3925; 3 private bills, H.R. 3926-3928; and 6 resolutions H.J. Res. 361-363, H. Con. Res. 168 and 169, and H. Res. 311 were introduced.

Page 24725

Bills Reported: Reports were filed as follows:

H.R. 3913, making appropriations for the Departments of Labor, Health and Human Services, Education, and Related Agencies for the fiscal year ending September 30, 1984 (H. Rept. 98-357; foregoing report filed on Friday, September 16);

Report of the Committee on Post Office and Civil Service pursuant to section 302(b) of the Congressional Budget Act of 1974 (H. Rept. 98-358); and

Conference report on H.R. 2972, to authorize certain construction at military installations for fiscal year 1984 (H. Rept. 98-359). Page 24725

Consent Calendar—Oregon Lands: On the call of the Consent Calendar, the House passed over without prejudice H.R. 1062, to authorize the Secretary of the Interior to convey, without consideration, certain lands in Land County, Oregon. Page 24608

Suspensions: House voted to suspend the rules and pass the following bills:

Insider Trading Sanctions Act: H.R. 559, amended, to amend the Securities Exchange Act of 1934 to increase the sanctions against trading in securities while in possession of material nonpublic information; Page 24612

Ethics in Government Act amendments: H.R. 2717, amended, to amend the Ethics in Government Act of 1978 to make certain changes in the authority of the Office of Government Ethics. Subsequently, this passage was vacated and S. 461, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed. Agreed to amend the title of the Senate bill; and Page 24614

Federal Physicians Comparability Allowance Act: H.R. 2077, to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978. Page 24621

State-Justice Appropriations: By a recorded vote of 228 ayes to 142 noes, Roll No. 343, the House passed H.R. 3222, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1984.

Rejected a motion to recommit the bill to the Committee on Appropriations.

Agreed To:

An amendment that provides funding at budget level for the Department of Commerce economic and statistical analysis programs;

An amendment that provides funding at budget level for National Oceanic and Atmospheric Administration operations, research, and facilities;

An amendment that deletes \$500 thousand in funding for the Chrysler loan guarantee program; and

An amendment that appropriates \$10.75 million for the International Boundary and Water Commission, United States and Mexico.

Points of order were sustained against:

Language in the bill that sought to appropriate funds for the Department of Commerce special foreign currency program;

Language in the bill that sought to appropriate funds for the Department of Commerce economic and statistical analysis programs over budget level;

Language in the bill that sought to provide funding for EDA assistance programs;

Language in the bill that sought to provide funding for EDA salaries and expenses;

Language in the bill that sought to provide funding for National Oceanic and Atmospheric Administration operations, research, and facilities over budget level;

Language in the bill that sought to provide funding for National Bureau of Standards scientific and technical research and services;

Language in the bill that sought to provide funding for the Maritime Administration operating-differential subsidies, research and development, and operations and training;

Language in the bill that sought to provide funding for the Federal Communications Commission salaries and expenses;

Language in the bill that sought to provide funding for Federal Trade Commission salaries and expenses;

Language in the bill that sought to provide funding for International Trade Commission salaries and expenses;

Language in the bill that sought to provide funding for Securities and Exchange Commission salaries and expenses;

Language in the bill relating to certain statutory exemptions for the FBI;

An amendment that sought to appropriate \$162 million in additional law enforcement assistance funds, contingent upon the enactment of legislation authorizing the Attorney General to provide Federal law enforcement assistance to States to address crime problems of serious and epidemic proportions;

A similar amendment that sought to appropriate \$92 million in additional law enforcement assistance funds;

Language in the bill that sought to provide funding for Commission on Civil Rights salaries and expenses;

Language in the bill that sought to provide funding for payments to the Legal Services Corporation;

Language in the bill that sought to provide funding for the State Department;

Language in the bill that sought to provide funding for United States bilateral science and technology agreements expenses;

Language in the bill that sought to provide funding for a grant to the Asia Foundation;

Language in the bill that sought to provide funding for United States Information Agency salary and expenses;

Language in the bill that sought to provide funding for the United States Information Agency special foreign currency program;

Language in the bill that sought to provide funding for the USIA Center for Cultural and Technical Interchange Between East and West;

Language in the bill that sought to provide funding for USIA acquisition and construction of radio facilities; and

A motion that the Committee of the Whole rise and report the bill, as amended, to the House with the recommendation that it be recommitted to the Committee on Appropriations with instructions that it be reported back forthwith containing an amendment that sought to prohibit use of funds for implementation of programs prohibiting voluntary prayer and meditation in public schools.

Agreed to a motion that the Committee of the Whole rise (agreed to by a recorded vote of 245 ayes to 120 noes, Roll No. 342).

The Clerk was authorized to correct section numbers and paragraph headings in the engrossment of the bill.

Page 24622

Coal Pipeline Act: House completed all general debate on H.R. 1010, to amend the Mineral Leasing Act of 1920 with respect to the movement of coal, including the movement of coal over public lands; but came to no resolution thereon. Proceedings under the 5-minute rule are scheduled to begin on Wednesday, September 21.

Page 24677

Referral: One Senate-passed measure was referred to the appropriate House committee.

Page 24725

Quorum Calls—Votes: Two recorded votes developed during the proceedings of the House today and appear on pages 24647, 24649. There were no quorum calls.

Adjournment: Met at noon and adjourned at 7:15 p.m.

Committee Meetings

MINORITIES AND THE MEDIA

Committee on Energy and Commerce: Subcommittee on Telecommunications, Consumer Protection, and Finance held a hearing on Minorities and the Media, the Impact of Broadcast Deregulation, Portrayal of Minorities and other issues. Testimony was heard from public witnesses.

AIRCRAFT NAVIGATION TECHNOLOGY AND ERRORS

Committee on Science and Technology: Subcommittee on Transportation, Aviation and Materials held a hearing on aircraft navigation technology and errors. Testimony was heard from William D. Reynard, Chairman, Aviation Safety Reporting Systems, NASA; Walter F. Luffsey, Associate Administrator for Aviation Standards, FAA, Department of Transportation; Donald C. Latham, Deputy Under Secretary of Defense for Command, Control, Communications and Intelligence; and public witnesses.

INTERNATIONAL COFFEE AGREEMENT ACT

Committee on Ways and Means: Subcommittee on Trade approved for full Committee action H.R. 3813, to amend the International Coffee Agreement Act of 1980.

Prior to this action, the Subcommittee held a hearing on this legislation. Testimony was heard from Ambassador Michael B. Smith, Deputy U.S. Trade Representative; and Denis Lamb, Deputy Assistant Secretary for Trade and Commercial Affairs, Department of State.

COMMITTEE BUSINESS

Permanent Select Committee on Intelligence: Met in executive session to consider pending business.

Joint Meeting

JOB RETRAINING

Joint Economic Committee: On Friday, September 16, the committee held hearings on job training needs of American workers, focusing on the magnitude and scope of the retraining task confronting the American economy, receiving testimony from Mark Bendick, Urban Institute, Washington, D.C.; Marvin Cetron, Forecasting International, Ltd., Arlington, Virginia; Sheldon Friedman, United Auto Workers, Detroit, Michigan; and Harley Shaiken, Massachusetts Institute of Technology, Cambridge.

Hearings continue on Friday, September 23.

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Tuesday, September 20, 1983

Senate

Chamber Action

Routine Proceedings, pages 24822-24932

Measures Introduced: Twelve bills and three resolutions were introduced, as follows: S. 1854-1865, S.J. Res. 166, S. Con. Res. 68, and S. Res. 224.

Page 24906

Measures Reported: Reports were made as follows: S. 1762, entitled the "Comprehensive Crime Control Act of 1983," with amendments.

Page 24905

Measures Passed:

National Folk Dance: Senate passed S. 1448, designating the square dance as the national folk dance of the United States.

Page 24829

National Diabetes Month: Senate passed S.J. Res. 121, designating November 1983 as National Diabetes Month.

Page 24830

Metropolitan Opera Day: Senate passed S.J. Res. 128, designating the day October 22, 1983, as "Metropolitan Opera Day."

Page 24830

National Entomology Week: Senate passed S.J. Res. 134, designating the week of November 27 through December 3, 1983, as "National Entomology Week."

Page 24830

Myasthenia Gravis Awareness Week: Senate passed S.J. Res. 140, designating the week of October 2 through October 8, 1983, as "Myasthenia Gravis Awareness Week."

Page 24830

National Productivity Improvement Week: Senate passed S.J. Res. 142, designating the week of October 3 through October 9, 1983, as "National Productivity Improvement Week."

Page 24831

National Energy Education Day: Senate passed S.J. Res. 146, designating March 23, 1984, as "National Energy Education Day."

Page 24831

Coast Guard Day: Senate passed S.J. Res. 150, designating August 4, 1984, as "Coast Guard Day."

Page 24831

National Retired Teachers' Day: Senate passed S.J. Res. 157, designating November 13, 1983, as "National Retired Teachers' Day."

Page 24831

National Sewing Month: Senate passed H.J. Res. 218, designating the month of September, 1983, as "National Sewing Month."

Page 24832

National Organ Donation Awareness Week: Senate passed H.J. Res. 229, authorizing and requesting the President to issue a proclamation designating April 22 through April 28, 1984, as "National Organ Donation Awareness Week."

Page 24832

VA Medical Services in Puerto Rico and Virgin Islands: Senate passed S. 1850, amending title 38, U.S. Code, to extend for one year the authority of the Veterans' Administration to provide certain contract medical services in Puerto Rico and the Virgin Islands.

Page 24832